

Employment Relations (Probationary Period Repeal) Amendment Bill

Member's Bill

Explanatory note

General policy statement

In 2008 Parliament passed the Employment Relations Amendment Act 2008, allowing workers to be fired at will in the first 90 days of their employment. The Employment Relations (Probationary Period Repeal) Amendment Bill repeals that change, and restores the relevant provisions of the Employment Relations Act 2002 to the pre-2008 application. It does not reverse the changes made to the Kiwi-Saver Act 2006.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides for the Bill to come into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the Bill amends the Employment Relations Act 2000 (the **principal Act**).

Clause 4 sets out the purpose of the Bill.

Clause 5 states the application of the Bill.

Clause 6 amends section 67 to restore that provision to the pre-2008 status.

Clause 7 repeals sections 67A and 67B.

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Employment Relations (Probationary Period Repeal) Amendment Act **2010**.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**
This Act amends the Employment Relations Act 2000.

4 Purpose

The purpose of this Act is to repeal the changes made to the principal Act by the Employment Relations Amendment Act 2008.

5 Application of this Act

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The amendments made by sections 6 and 7 of this Act apply to employment agreements entered into only after the commencement of those sections.

6 Probationary arrangements

- (1) Section 67(1) is amended by inserting “or trial” after “probation”. 10
- (2) Section 67(1)(a) is amended by inserting “or trial” after “probation”.
- (3) Section 67(1)(b) is amended by inserting “or trial” after “probation” in each place where it appears. 15
- (4) Section 67(3) is amended by inserting “or trial” after “probation”.

7 Sections 67A and 67B repealed

Sections 67A and 67B are repealed.
